

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
VICTOR ROFFE ATTIAS
CAROLINE JULIE PIKET HOFFMAN
DEBTOR (S)

CASE NO. 09-09634-SEK
CHAPTER 13

**TRUSTEE'S UNFAVORABLE REPORT
ON PROPOSED PLAN CONFIRMATION UNDER §1325**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1325**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.**

Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$245,350.00** **R2016 STM. \$3,000.00**

TOTAL ATTORNEYS FEES THRU PLAN: \$0.00 Fees paid: \$0.00 Fees Outstanding: \$0.00

With respect to the proposed (amended) Plan dated: **May 21, 2010** (Dkt 41). **Plan Base: 88,800.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Insufficiently Funded : Fails CREDITORS' BEST INTEREST TEST [§1325(a)(4)]

The plan is insufficiently funded to pay unsecured creditors an amount equivalent to the estate's liquidation value. The minimum required base is of \$313,500.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this August 18, 2010.

/s/ Jose R. Carrion

/s/ Carlos Alsina -Staff Attorney

JOSE R. CARRION
CHAPTER 13 TRUSTEE
PO Box 9023884, San Juan, PR 00902-3884
Tel. (787) 977-3535 Fax (787) 977-3550